

REMARKS

Claims 1-11 are pending in the application.

Claims 1-8, 10, and 11 are rejected under the judicially created doctrine of double patenting over U.S. Patent No. 6,778,029 (hereinafter the '029 patent). Both the pending application and the '029 patent are commonly owned, that is, both are assigned to Nihon Dempa Kogyo Co., Ltd. Applicant submits a Terminal Disclaimer with this amendment that disclaims any part of the term of a patent issuing from this application that extends beyond the term of the '029 patent. Therefore, Applicant respectfully submits that the rejections of claim 1-8, 10, and 11 based on double patenting has been obviated by the filing of the Terminal Disclaimer, and therefore Applicant respectfully requests that the rejection be withdrawn.

Claim 9, which is objected to in the Office Action as depending from a rejected base claim, is therefore also allowable based on its dependence from allowable claim upon the filing of the terminal disclaimer.

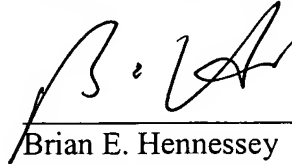
Therefore, it is respectfully submitted that all of claims 1-11 are in condition for allowance.

In view of the remarks set forth above, Applicant respectfully submits that the present application is in condition for allowance. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Appl. No. 10/620,230

Please charge any fees associated with the filing of the Terminal Disclaimer, or any fees associated with the filing this paper, to Deposit Account No. 50-1290.

Respectfully submitted,



Brian E. Hennessey
Reg. No. 51,271

Enclosure: Terminal Disclaimer

CUSTOMER NUMBER 026304

Telephone: (212) 940-8800

Fax: (212) 940-8986/8987

BEH:pm